GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Rules – The Andhra Pradesh Excise (Grant of licence of selling by shop and conditions of licence) Rules, 2012 – **Amendments** – Orders – Issued.

REVENUE (EXCISE-II) DEPARTMENT

G.O.Ms.No.218 **Dated:22.06.2015.**

Read the following:

1. G.O.Ms. No.391, Rev (Ex.II) Dept, dated:18.06.2012
2. G.O.Ms. No.357, Rev (Ex.II) Dept, dated:22.06.2013
3. G.O.Ms. No.216, Rev (Ex.II) Dept, dated:22.06.2015
4. G.O.Ms. No.217, Rev (Ex.II) Dept, dated:22.06.2015
5. From the Commr.of Prohibition & Excise, A.P., Hyderabad, D.O.Lr.in Cr.No.999/2015/CPE/E3, Dated: 22.06.2015.

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O R D E R:

The following notification will be published in an Extra-ordinary Issue of the Andhra Pradesh Gazette, dated the 22nd June, 2015.

NOTIFICATION

In exercise of the powers conferred under section 72 read with sections 17, 28 and 29 of the Andhra Pradesh Excise Act, 1968 (Andhra Pradesh Act 17 of 1968), the Governor of Andhra Pradesh hereby makes the following amendments to the Andhra Pradesh Excise (Grant of licence of selling by shop and conditions of licence) Rules, 2012 issued in G.O.Ms.No.391, Revenue (Ex.II) Department, dated the 18th June, 2012 and published in the Andhra Pradesh Gazette in Rules Supplement to part II, Extraordinary No.1, dated the 18th June, 2012 and amended from time to time:

AMENDMENTS

In the said rules:

1. **In Rule 2 sub rule (1), after clause (h)**, the following shall be inserted :

   (hh) "Hybrid Hyper Market" or "Mall" means a large business complex which contains a variety of walk-in store(s) housed in one large building or buildings with a minimum plinth area of 10,000 Sft, situated within a compound and is owned by single firm / company having multiple licences to sell various commodities".

2. **In Rule 3,** after **sub rule (2)**, the following shall be added as **sub Rule 3** :

   Subject to such directions, as may be issued by the Government in this regard from time to time, the Commissioner of prohibition of Excise may allot A4 shops to Hybrid Hyper Markets, Malls, Corporations owned by the State Government and Co-operative societies and may run A4 shops Departmentally.

3. **In Rule 6, clause (ii)** shall be deleted**.**

4. **In Rule 12, sub rule (1), clause (i),** the following shall be substituted :

   (a) Challan for Rs 30,000/- (Rupees Thirty thousand Only) in respect of A4 Shops located in Villages and in their 1 KM belt area from the periphery, towards non-refundable application fee.

..2.

(b) Challan for Rs 40,000/- (Rupees Forty thousand Only) in respect of A4 Shops located in municipalities and in their 2KM Belt area from the periphery, towards non-refundable application fee.

(c) Challan for Rs 50,000/- (Rupees Fifty thousand Only) in respect of A4 Shops located in Municipal corporations and their 5 KM Belt area from the periphery, towards non-refundable application fee.

5. **In Rule 12, sub rule (1) clause (ii)** after the words **"**Two recent pass port size photographs**" the** words **"along with Photostat copies of AADHAR card, PAN card, 2 years' Income Tax returns / 2 years' VAT returns"** shall be added.

6. **In Rule 12, sub rule (1) clause (iv)** after the words **'Declaration in Form A- 1 & A-3",** the words **"and affidavit in Form A-2"** shall be deleted.

7. **In Rule 12, sub rule (6) clause (d),** the following shall be substituted:

"Where there are more than one application for a Notified shop, the selection among the eligible applicants for grant of licence shall be by drawal of LOT by the Collector, irrespective of the presence of the applicants".

8. **In Rule 12, sub rule (6)** the following new clause as (dd) shall be added after clause (d)

"the Collector, after selecting the applicant in respect of an A4 shop, may continue drawl of lots and select not more than two applicants from among the remaining applicants as reserve applicant(s), who may, subject to the provisions of these rules, be allotted the A4 shop, in case the applicant selected first fails to comply with the conditions laid down in these rules on the day of drawl of lots or subsequently."

9. **In Rule 12, after sub rule (8)**the following proviso shall be added:

"Provided that the Commissioner of Prohibition & Excise may grant more than one licence to the persons representing Hybrid Hyper Markets, Malls, Co-operative Societies and Corporations owned by the State Government."

10. **In Rule 16, sub rule (2)** the following shall be substituted**:**

"The licensee shall pay the licence fees for the two years licence period either in one lumpsum or in six equal Instalments at his option."

11. **In Rule 16, sub rule (3),** the following shall be substituted:

" Where the selected applicant opts to pay the annual licence fee in instalments, he/she shall pay a sum equal to 1/3rd of the annual licence fee for the shop less the amount remitted under sub-rule (1)(iii) of Rule-12 on the day of selection or the succeeding working day by way of Challan. He/ she shall also submit five Fixed Deposit Receipts or Bank Guarantees in Form A-5, each equal to 1/3rd of the annual licence fee, valid for 5 months, 9 months, 13 months, 18 months and 21 months respectively, issued by a Scheduled Bank situated in Andhra Pradesh, within seven days of his/her selection and obtain the licence.

..3.

Provided that the District Collector may, at his discretion for valid and genuine reasons that may be recorded in writing, grant extension of time not exceeding seven working days to the selected applicant for submission of Fixed Deposit Receipts or Bank Guarantees in Form A-5 and obtain the Licence. ”

12. **In Rule 16, sub rule (4)** the following shall be substituted:

“ The Licensee shall remit the 2nd instalment sum equal to 1/3rd of the annual licence fee, on or before 20th October of the 1st year of license period. The Licensee shall remit the 3rd instalment sum equal to 1/3rd of the annual licence fee on or before 20th February of the 1st year of license period. The licensee shall, further, remit the 4th instalment equal to 1/3rd of the annual licence fee, on or before 20th June of the 1st year of license period. The Licensee shall remit the 5th instalment sum equal to 1/3rd of the annual licence fee, on or before 20th October of the 2nd year of license period. The Licensee shall also remit the 6th instalment sum equal to 1/3rd of the annual licence fee on or before 20th February of the 2nd year of license period.”

13. **In Rule 16, sub Rule (9)** shall be deleted:

14. **In Rule 18,** after the words “ **Sale by outlets of APBCL**” the following words shall be inserted:

“Corporations owned by the State Government/ Co-operative Societies”

15. **In Rule 18, sub rule (1)** after the words “The District Collectors, with the approval of the Commissioner of Prohibition & Excise may permit the APBCL” the following words shall be inserted :

“Corporations owned by State Government, Co-operative societies / Hybrid Hyper Markets / Malls”

16. **In Rule 18, sub rule (2),** after the words “The Commissioner of Prohibition & Excise may permit the APBCL” the following words shall be inserted :

“Corporations owned by State Government,Co-operative societies / Hybrid Hyper Markets / Malls”

17. **In Rule 23, sub rule (1),** for the expression “**one year**”, the expression **“two years”** shall be substituted.

18. **In Rule 25, sub rule (1) clause (a)** after the words “ Place of Public worship” means a temple registered with the Endowment Department, Mosque registered with Wakf Board and Church” the following words shall be inserted.

“established and managed by a registered Christian Organisation / Society”

... 4.

19. **In Rule 25, after the Sub Rule (2)** the following proviso shall be added:

"Provided that no permit room licence in Form A4 (B) shall be granted to the A4 shop licensees in respect of Hybrid Hyper Markets or Malls".

20. **In Rule 31,** for the expression **"11.00 AM to 10.00 PM ",** the expression **"10.00 AM to 10.00 PM"** shall be substituted.

(**BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Printing and Stationery and Stores Purchase, Hyderabad

(He is requested to furnish 500 copies to Government and 1000 copies to the Commissioner of Prohibition & Excise, A.P, Hyderabad and 50 copies to Special Commissioner of Information and Public Relations, Hyderabad.)

The Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad.

Copy to:
The PS to Prl.Secy to CM.
The OSD to Minister for Prohibition and Excise.
The PS to Spl CS to Govt. (Rev)
The Law (E) Department
SF/SCs.

//FORWARDED:: BY ORDER//

SECTION OFFICER